

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL ACTION NO. 3:15-CV-263-FDW-DCK **\*\*SEALED\*\*****

**PHILLIP G. SHUGART and KEVIN  
SPRUILL,** )  
)  
)  
)  
**Relators/Plaintiffs,** )  
)  
**v.** )  
)  
**PHYSICIANS CHOICE LABORATORY** )  
**SERVICES, LLC,** )  
)  
**Defendant.** )

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**ORDER**

**THIS MATTER IS BEFORE THE COURT** on “The Government’s Notice Of Election To Decline Intervention And Motion To Unseal Complaint” (Document No. 19) filed November 20, 2017. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will grant the motion.

**IT IS, THEREFORE, ORDERED** that “The Government’s Notice Of Election To Decline Intervention And Motion To Unseal Complaint” (Document No. 19) is **GRANTED**.

**IT IS FURTHER ORDERED** that:

1. The Complaint be unsealed and served upon Defendant by Relator/Plaintiffs;
2. All other contents of the Court’s file in this action remain under seal and not be made public or served upon Defendant, except for this Order and “The Government’s Notice Of Election To Decline Intervention,” which the Relator/Plaintiffs will serve upon Defendant only after service of the Complaint;

3. The seal be lifted as to all other matters occurring in this action after the date of this Order;
4. The parties shall serve all pleadings and motions filed in this action, including supporting memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States may order any deposition transcripts (at the Government's expense), and the Court may permit the United States to intervene in this action, at a later date upon a showing of good cause;
5. The parties shall serve all notices of appeal upon the United States;
6. All Orders of this Court shall be sent to the United States; and
7. Should the Relator/Plaintiffs or Defendant propose that this action be dismissed, settled, or otherwise discontinued, the parties shall solicit the written consent of the United States and attach the Government's response to any such proposal.

**SO ORDERED.**

Signed: November 20, 2017



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David C. Keesler  
United States Magistrate Judge

